

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL A. PEREZ et al.,

Defendants.

3:15-cr-00013-RCJ-WGC-1

ORDER

Defendant Michael Perez pled guilty to Count 25 of the Fourth Superseding Indictment for possession with intent to distribute at least 50 grams of methamphetamine. On August 8, 2016, the Court sentenced Defendant to 168 months imprisonment. Defendant has asked the Court to reduce his sentence under Amendment 782 to the U.S. Sentencing Guidelines, which reduced the base offense levels for given quantities of drugs by two.

The Court denies the motion as moot. Defendant was found to have been responsible for more than 500 g but less than 1.5 kg of actual methamphetamine, resulting in a base offense level of 34. *See* U.S.S.G. § 2D1.1(c)(3) (2014). Amendment 782 went into effect on November 1, 2014 when the Guidelines version of that date was issued. That is, the 2014 version of the Guidelines (and all subsequent versions) have incorporated Amendment 782 directly into their drug quantity tables. Prior to Amendment 782, the base offense level for 500 g to 1.5 kg of actual methamphetamine was 36. *See* U.S.S.G. § 2D1.1(c)(2) (2013). Only defendants sentenced under 2013 or earlier versions of the Guidelines have any need to request retroactive application of Amendment 782.

CONCLUSION

IT IS HEREBY ORDERED that the Motion for a Sentence Reduction (ECF No. 208) is DENIED as moot.

IT IS SO ORDERED.

DATED: This 17th day of February, 2017.



ROBERT C. JONES
United States District Judge